

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

NOV 28 2018

JULIA C. DUDLEY, CLERK
BY: *A. Beeson*
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NATHANIEL BRUCE DUNMORE,)	
Plaintiff,)	Civil Action No. 7:18cv00251
)	
v.)	<u>MEMORANDUM OPINION</u>
)	
OFFICER ROOP, et al.,)	By: Michael F. Urbanski
Defendants.)	Chief United States District Judge

Plaintiff Nathaniel Bruce Dunmore, a Virginia inmate proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983. On October 16, 2018, the court dismissed the action without prejudice after Dunmore failed to respond to the court's Notice pursuant to Roseboro v. Garrison, 528 F.2d 309, 310 (4th Cir. 2005). See ECF Nos. 32 and 33. Thereafter, the court received Dunmore's motion for an extension of time, alleging that he had not timely received the court's Notice. Finding it appropriate to do so, on October 26, 2018, the court vacated the dismissal order and gave Dunmore fourteen days to comply with the court's Notice. See ECF No. 36. Dunmore has filed nothing to the court since then.¹ Accordingly, for the reasons stated in the court's original memorandum opinion dismissing this case (ECF No. 32), the court will again dismiss this case for failure to prosecute.

ENTER: This 27th day of November, 2018.

ts/ Michael F. Urbanski

Chief United States District Judge

¹ See Houston v. Lack, 487 U.S. 266, 276 (1989) (a prisoner's filing is considered filed on day he delivered it to prison officials for mailing to the court).